



**ARIZONA STATE SENATE**  
***Fifty-Third Legislature, First Regular Session***

**FINAL AMENDED**  
**FACT SHEET FOR H.B. 2116**

municipal zoning; rezoning protests

Purpose

Requires a three-fourths vote to approve a zoning change if 20 percent of the property owners by area and number in the zoning area file a protest against the change.

Background

Under current statute, if the owners of 20 percent or more of the area of the lots included in, on any side or directly opposite from a proposed change, within 150 feet of the change, file a petition against a proposed municipal zoning amendment, the change requires a favorable vote of three-fourths of all members of the governing body of the municipality ([A.R.S. § 9-462.04](#)).

Pursuant to [A.R.S. § 11-814](#), if 20 percent of the property owners in a county with five or more supervisors by area and number within the zoning area file a petition against a proposed county zoning amendment or rezoning, an affirmative vote of three-fourths of all members of the board will be required to approve the rezoning. For the purposes of county zoning amendments and rezoning protests, *zoning area* means the area within 300 feet of the proposed amendment or change.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires a three-fourths vote by the governing body of a municipality to approve a municipal zoning amendment if 20 percent of the owners of the property by area and number within the zoning area file a protest against the change.
2. Defines *zoning area* as the area of the proposed change or within 150 feet of the proposed change, including all rights-of-way.
3. Makes technical changes.
4. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Adds the area of the proposed change to the definition of *zoning area*.

Amendments Adopted by Committee of the Whole

1. Specifies the three-fourths vote of the governing body is to be rounded to the nearest whole number.
2. Specifies *zoning area* includes the area of the proposed change and the area within 150 feet of the proposed change, including all rights-of-way.

House Action

FPRPP	1/24/17	DP	6-0-0-3
3 <sup>rd</sup> Read	2/2/17		54-5-1
Final Read	5/8/17		59-0-1

Senate Action

GOV	3/1/17	DPA	7-0-0
3 <sup>rd</sup> Read	3/28/17		29-1-0

Signed by the Governor 5/10/17

Chapter 290

Prepared by Senate Research

May 22, 2017

RH/JN/rr